NITED STATES PATENT AND TRADEMARK OFFICE

MATSUOKA=18 ATTY.'S DOCKET: In re Application of: Art Unit: 1625 Hiroharu MATSUOKA et al Examiner: B. M. Robinson Appln. No.: 09/890,219 Washington, D.C. Filed: December 12, 2001 Confirmation No. 7465 For: SUBSTITUTED PHENETHYLAMINE) September 21, 2006 DERIVATIVES

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents U.S. Patent and Trademark Office Customer Service Window Randolph Building, Mail Stop Amendment 09/22/2006 HBERHE 00000123 09890219 401 Dulany Street Alexandria, VA 22314

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Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the aboveidentified application, and any other application relying on the filing date of the above-identified application or crossreferencing it as a related application.

- [X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:
- [] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- [] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

- [X] C. after (A) and (B) above, but before final rejection or allowance, and Applicant has made the necessary certification (box "i" below) or paid the necessary fee (box "i" below):
 - [] i. Counsel certifies that, upon information and belief, each item of information listed herein either was
 - [] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
 - [] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this IDS.
 - [X] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.
- [X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached.

- [X] 3. Document(s) AK, AL, and AM are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states:
 - [X] An English translation of each document <u>AL and AM</u> (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.
 - [X] For documents AK, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document.
 - [] A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
 - [] A concise explanation of the relevance of document(s) _____ is set forth as follows:
 - [] A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
 - [] A concise explanation of the relevance of document(s) ____ can be found on the attached sheet.
- [X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[X] 5. Other information being provided for the examiner's consideration follows:

INTERNATIONAL SEARCH REPORT

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Sheet	1	of	1

Complete if Known				
Application Number 09/890,219				
Filing Date	December 12, 2001			
First Named Inventor	Hiroharu MATSUOKA et al.			
Group Art Unit	1625			
Examiner Name	B. M. Robinson			
Attorney Docket Number	MATSUOKA=18			

			U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AJ	US-4,596,677 A	06-17-1986	RINIKER et al.	
		US-			

	FOREIGN PATENT DOCUMENTS						
	0	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)		Name of Patentee or Applicant	Pages, Columns, Lines, Where Relevant Passages		
Examiner Initials*	Cite No. ¹	Country Code Number Kind Code (# Monny	MM-DD-YYYY	of Cited Document	or Relevant Figures Appear	T _e	
·	AK	EP 0 111 266 A2	06-20-1984	CIBA GEIGY AG			
	AL	JP 06-220088 A	08-09-1994	ASAHI CHEM IND CO LTD		ABS	
	AM	JP 07-188282 A	07-25-1995	SUETSUNA YOKO		ABS	
	AN	WO 97/19908 A1	06-05-1997	NIHON NOHYAKU CO LTD			

NON PATENT LITERATURE DOCUMENTS / OTHER INFORMATION				
Cite No.1	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²		
AO	BUDAVARI, S. et al., "The Merk Index", (1996) MERCK & CO., INC., pages 1677, 1253, and 1690			
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Examiner	/Binta Robinson/	Date	11/04/2008
Signature		Considered	11/04/2006

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language Translation state of the patent document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language Translation state of the patent document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here if English language Translation is to place a check mark here.